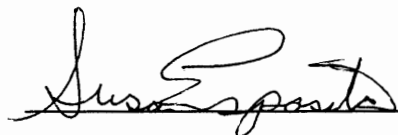


***UNITED STATES DISTRICT COURT***  
***DISTRICT OF NEW JERSEY***

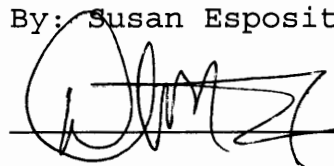
UNITED STATES OF AMERICA : Criminal Number: **2:12 cr 832-1**  
v. : **WAIVER OF INDICTMENT**  
MERCER S.M.E., INC. :

MERCER S.M.E., INC., by and through its President **Susan Esposito**, hereby certifies as follows:

MERCER S.M.E., INC., charged with violating 15 U.S.C. §1 being advised of the nature of the charges, the proposed Information, and its rights, hereby waive in open court on (Date) **December 19, 2012** prosecution by indictment and consent that the proceeding may be by information rather than by indictment.

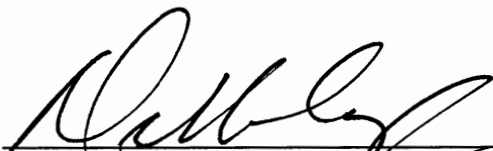


MERCER S.M.E, INC.  
Defendant  
By: Susan Esposito



Douglas M. Tween, Esq.  
Counsel for Defendant

Before:



HONORABLE Dennis M. Cavanaugh  
United States District Judge